

## MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT

### **RULE 220 - NEW SOURCE REVIEW STANDARDS (INCLUDING PSD EVALUATIONS)**

#### **(a) EMISSION ANALYSIS**

In reviewing an Authority to Construct for any new or modified stationary source subject to the requirements of this chapter, the Control Officer shall require the applicant to submit information sufficient to describe the nature and amounts of emissions; the location, design, construction, and operation of the source; and to submit any additional information requested by the Control Officer to make the approval determinations required by the provisions of Rule 230.

For the purposes of emission considerations:

1. Emissions from a proposed new or modified stationary source shall be based on the source's potential to emit any air contaminant subject to regulation under the Clean Air Act Amendments of 1990.
2. Emissions from a proposed modified stationary source shall be based upon the cumulative net emission increases or reductions that may occur as a result of the modifications and both Authority to Construct and Permit to Operate conditions, excluding any emission reductions required to comply with federal, state, or district laws, rules, or regulations, (52.21(b)(2&3)).
3. Emissions from an existing stationary or previously permitted source shall be based on the actual rate of air contaminant emissions during the two-year period of operation prior to the date of application. A different averaging period may be used if the applicant demonstrates to the satisfaction of the Control Officer that it would be more representative of normal source operation, (52.21(b)(3&21)).

#### **(b) NEW SOURCE REVIEW PROCEDURE**

In reviewing an Authority to Construct for any new or modified stationary source which is subject to Rules 490 or 492; or for any new or modified stationary source which the Control Officer estimates will result in a significant net increase in emissions of any air contaminant regulated under the Clean Air Act Amendments of 1990, and precursors of such contaminants, the Control Officer shall: (Significant levels are defined in Rule 130(s2))

1. Determine best available control technology (BACT) for each air contaminant for which the significance level is exceeded and so inform the applicant, (52.21(b)(12)).
2. Except for those sources already regulated by a Clean Air Act Amendment of 1990 Section 112(d) Maximum Achievable control Technology (MACT) Standard, determine the MACT for: (1) any new source that exceeds the significance level, or an existing source that adds a new process or production unit which in and of itself exceeds the significance level; or (2) any source with an existing process line with significant levels of emissions which is proposed for reconstruction at a capital cost exceeding 50 percent of a comparable new process line or unit. Such procedures shall be carried out in accordance with 40 CFR Part 63.40 through 63.44.

3. Analyze the effect of the new or modified stationary source on air quality for each air contaminant for which the significance level is exceeded and require that the applicant comply with the pre-construction monitoring requirements of Section 52.21 of the Code of Federal Regulations, (52.21(m)).
4. Determine that approved stack height good engineering practice is employed and prepare or cause to be prepared an analysis of the following:
  - a. The effect of increased emissions of air contaminants, including associated vessel emissions, on the PSD increments.
  - b. The expected net increase above baseline concentration for any proposed new stationary source or modification whose emissions, including any associated vessel emissions, exceed the significant levels defined in Rule 130(s2).

*NOTE: Increment consumption prior to the date of application of the proposed source shall be calculated by including major, minor and mobile sources.*

5. Publish a notice by prominent advertisement in at least one newspaper of general circulation in the District stating where the public may inspect the information required by this Rule. The notice shall include the preliminary permit action determination; present the expected additional and cumulative PSD increment consumption; any notice of MACT approval, provide opportunity for a public hearing; and allow 30 days beginning on the date of publication, for the public to submit written comments on the application.
6. Make available for public inspection at the District office, the information submitted by the applicant, the analysis of the effect of the source on air quality, and the preliminary decision to grant or deny the Authority to Construct.
7. On the date of publication forward copies of the notice required in paragraph (45) to the Environmental Protection Agency, and, for any PSD permits, to the California Air Resources Board, all APCD's in the air basin, all adjoining APCD's in other air basins, and any federal land managers of a Class I area which may experience a significant air quality impact or is within 100 kilometers.
8. Hold a public hearing on the project in the event of an air quality controversy and consider all public comments submitted prior to the granting or denial of the Authority to Construct.
9. Transmit copies of the application and notice of each action affecting the application to EPA and for PSD actions the managers of any affected Class I areas.
10. All comments and the final determination on the application shall be available for public inspection.
11. Within 30 days of the issuance of an Authority to Construct the Control Officer shall publish a notice in the local newspaper with the highest circulation in the area.